

Business of the House.

Mr. SPEAKER.—Before I take up other Business, I wish to bring to the notice of the Hon'ble Members circular No. 39. Hon'ble Members are informed that arrangements have been made with immediate effect for inoculation against cholera in the lounges of the Assembly and the Council Halls during the hours of sittings of the Assembly and Council from today. Such of the Members, are desirous of availing of the facility, may kindly do so.

Before I go to other matters on the agenda, I wish to refer to what transpired on Friday relating to the questions.

It was suggested that there had been inordinate delay in furnishing answers to the questions and it had two components. One was that there was delay on the part of the Government and I have already brought it to the notice of the Government and the Chief Minister has replied to it. With regard to the other aspect, if there are any Hon'ble Members who think that there has been any delay in the Legislature Sectt.—and it was further suggested that delay was to help the Government,—I said, that if any Hon'ble Members have got any information or questions on that account, they may kindly bring it to my notice. I am not aware of any such notice or any information being furnished to me up-till-now. Still, I am extending time for that purpose till tomorrow evening. If the Members have anything to say with regard to that, I am prepared to examine. Otherwise, I will have to say that Hon'ble Members should not lightly make observations of that type. It is on account of the importance that I attach to that point, that I am waiting till tomorrow. I will take up the matter thereafter.

With regard to the Business namely—further discussion on the motion that the Mysore Prohibition of Smoking in Show Houses, and Public Halls Bill; I have to bring to the notice of the House that eight Members have participated. The time allotted is two hours. Time consumed up till now is one hour and forty-five minutes. Time left over is fifteen minutes. Within this period of fifteen minutes, the reply of the Minister and amendments have to be taken up.

The Hon'ble Minister will kindly reply now.

MYSORE PROHIBITION OF SMOKING IN SHOW HOUSES AND PUBLIC HALLS BILL, 1963.

(As passed by the Legislative Council)

(Motion to consider—Debate continued)

Sri R. M. PATIL (Minister for Home).—Mr. Speaker Sir, this Bill has been approved by the Legislative Council. The suggestions made by the Hon'ble Members in this House can also be taken into consideration.

So far as clause 2 is concerned, it merely defines certain words—public halls, show houses, smoking.

Clause 3 puts restrictions on smokers, in certain places which are said to be restricted places,—auditorium and the stage. But if it is to be allowed as part of the performance, smoking is allowed on the stage. So far as auditorium is concerned, that place is a restricted place and such restrictions are placed in the interest of the fellow spectators.

Clause 3 (2) Sir, is not absolutely a bar. It is prohibited only for a certain time, that is 30 minutes before the Show begins. Clause 3 also deals with some procedure. If a smoker is found to be smoking, then he is asked by the policemen to go out. If he persists in smoking, then only he is taken out. He is also punished in addition on conviction to the tune of about Rs. 50 by way of fine.

Clause 3 (4) the person so taken out is prohibited to demand ticket charges or expenses that he might have incurred. These are the provisions so far as this Bill is concerned.

Clause 4 refers also to the managements and persons who are concerned in the management. Every person responsible for the management or the administration or exhibition in a show-house and every person who is in charge of the arrangement for the public assembly or meeting in a public hall shall bring to the notice of the audience or spectators by posting notices prominently or by exhibiting slides that any person who smokes during the prohibited period either on the stage or the auditorium reserved for audience, or spectators, shall be liable to be ejected summarily and also to the payment of fine. This responsibility is cast on the Management. Whoever contravenes the provisions of Section 1 shall on conviction be punished with fine which may extend to Rs. 50. Clause 4 is, therefore proposed in respect of the responsibility of the Management in the case of spectators. Even then, if they persist, then only they shall be driven out and they shall be liable to be ejected summarily and also to payment of fine.

Clause 4 (2) is in respect of fines. But certain cases are meant for exemption. That is where, assemblies where smoking cannot be prohibited—in such cases, exemptions are given and such cases of exemption shall be placed before both Houses for consideration and ultimately if there is any modification suggested by the House, they will be communicated.

These are the important provisions of this Bill. This is a uniform legislation meant to bring uniformity in the legislations that are prevailing in this State.

Sri SIDDIAH KASIMAT (Sirhatti).—One clarification, Sir. 'Smoke, means inhalation or exhalation of tobacco smoke': ಬೀದಿ ಸಾವಿರ ಬೀದಿ ಎಂದು ಬೇರೆ ತರಹ ಬೀದಿಗಳು ಇರುವೆ ಅವೂ ಸೇರುತ್ತವೆಯೇ ?

Sri R. M. PATIL.—If it is tobacco, then only it is prohibited. Any sort of smoke is not prohibited.

ಶ್ರೀ ಗಂಗಾಧರ ನಾಪೋಲಿ.—ಮೈಸೂರು ದನರಾ ಎಕ್ಸಿಟಷನ್ ಮುಂತಾದ ದೊಡ್ಡ ದೊಡ್ಡ ಸ್ಥಳಗಳಿರುತ್ತವೆ, ದೊಡ್ಡ ದೊಡ್ಡ ಹೋಟೆಲುಗಳಿರುತ್ತವೆ, ಅವೂ ಇದರ ವ್ಯಾಪ್ತಿಗೆ ಸೇರುತ್ತವೆಯೇ ?

Sri R. M. PATIL.—If it is a hall, then it is prohibited. Otherwise it is not.

Mr. SPEAKER.—The question is :

“That the Mysore Prohibition of Smoking in Show Houses and Public Halls Bill, 1963 as passed by the Legislative Council, be taken into consideration.”

The motion was adopted.

Mr. SPEAKER.—For clause 2, there is an amendment.

Sri V. S. PATIL.—Sir, I beg to move :

“That in clause 2, in item (a), line 2, the following words shall be added at the end :—

“and to which the provisions of this Act have been made applicable by the State Government or by the Commissioner of Police, Bangalore, or by a District Magistrate within their respective jurisdiction.”

Mr. SPEAKER.—Amendment moved :

“That in clause 2, in item (a), line 2, the following words shall be added at the end :—

“and to which the provisions of this Act have been made applicable by the State Government or by the Commissioner of Police, Bangalore, or by a District Magistrate within their respective jurisdiction.”

† Sri V. S. PATIL (Belgaum I).—What is meant by ‘public hall’ ? It means a chamber or hall used ordinarily or occasionally as a place of public assembly or meeting. ‘Public assembly or meeting’ is not at all defined. What about open theaters ? Practically in every big place, city or town, there are these open theatres. Open theatres also will come within the meaning of public assembly or meeting and it may unnecessarily create trouble. That is why I have said that all these public halls or public assemblies to which the provisions of this Act have been extended either by Government or by the Police Commissioner or by the District Magistrate—that will make matters quite easy, more suitable and enforceable. If it is kept vague, it will be clearly an instrument for corruption in the hands of the Police and that will be an encroachment upon the liberty of the subjects. That is why I have moved this Amendment. I think that so far as Bombay Karnataka area is concerned, Government will feel the difficulty by implementing the Act. I do not know of the conditions in old Mysore area ; but I do not think such an absolute power will be tolerated by North Karnataka people.

Sri N. O. SAMAJI (Belgaum II).—(In Marathi).

Sri R. M. PATIL.—I oppose the amendment because the amendment will create further complications still worse than what he suggests.

Mr. SPEAKER.—Any clarification for Sri Samaji's point?

Sri R. M. PATIL.—That aspect of the case has been considered and his suggestion has already been taken into consideration.

Mr. SPEAKER.—I am putting the amendment to vote. The question is :

“That in clause 2, in item (a), line 2, the following words shall be added at the end :—

“and to which the provisions of this Act have been made applicable by the State Government by or by the Commissioner of Police, Bangalore, or by a District Magistrate within their respective jurisdiction.”

The amendment was negatived.

Mr. SPEAKER.—Sri V. S. Patil has tabled another amendment.

Sri V. S. PATIL.—Sir, I beg to move :

“That in clause 2, in item (c) the words ‘of tobacco’ shall be deleted”.

Mr. SPEAKER.—Amendment moved :

“That in clause 2, in item (c), the words ‘of tobacco’ shall be deleted.”

† Sri V. S. PATIL.—The reason why I have moved this amendment was pointed out when the Bill was discussed last time. But the hon. Minister has not given any answer convincing to us. Here “inhalation or exhalation of the smoke of tobacco”. There are various kinds of smoke. For example, some people smoke Ganja as well as opium. The only answer that was given by some of the Honourable Members was that under the Opium Act, under the Prohibition Act, etc., these things are prohibited. But they are not completely prohibited. Without a licence that cannot be used. If a person who comes into a theatre or a public hall or a show house, possesses a licence to smoke Ganja, then your effort to prevent smoking in these places is fruitless, unless you delete the word ‘tobacco’. Any kind of smoking must be prevented in those premises, if you want to enforce the Act with the true intention and true spirit of the law. But you want to say that because opium is prevented under the Opium Act and Ganja is prohibited under the Prohibition Act, that is why all these things cannot come in, that is not correct because under those enactments permits are given to those smokers and if those permit-holders come and begin to smoke, your officers will be helpless and more nuisance is likely to be caused within these premises. New kinds of beedies and cigarretes are prepared, which have nothing to do with tobacco. If people come

(SRI V. S. PATIL)

in and begin to smoke this kind of things, difficulty will be there. That is why my amendment is, whatever kind of smoking it may be, it may be of tobacco or any other kind, if you want to stop smoking, stop it altogether. That is why I have moved this Amendment and I feel that Government will accept my amendment.

SRI R. M. PATIL.—I oppose the amendment, because Ganja is already prohibited. Other types of smoking which are said to be there, they also come within the purview of tobacco.

MR. SPEAKER.—I will put amendment to vote. The question is :

“That in clause 2, in item (c), the words ‘of tobacco’ shall be deleted.”

The amendment was neg tiv d.

MR. SPEAKER.—The question is :

“That clause 2 stand part of the Bill.”

The motion was adopted.

Clause 2 was added to the Bill.

SRI S. M. KRISHNA.—Sir, I move :

“That the time for discussion on this Bill be extended by 15 minutes.”

MR. SPEAKER.—I suppose the House agrees to it.

HON'BLE MEMBERS.—Yes.

MR. SPEAKER.—The time is extended by 15 minutes.

Clause 3

SRI V. S. PATIL.—I beg to move :

“That in clause 3, sub-clause (4), line 4, the words ‘or to any other compensation’ be deleted.”

MR. SPEAKER.—Amendment moved :

“That in clause 3, sub-clause (4), line 4, the words ‘or to any other compensation’ be deleted.”

† SRI V. S. PATIL.—Sir, here the main thing is that smoking is to be prohibited or stopped in these public halls or show houses. While carrying out this intention, a provision has been made that any person who contravenes the provision of this Section and who, on being asked by the police office to dessist from smoking, persists, shall be liable to be removed from the show house etc. Sir, so far as the return of the money is concerned, he shall not be entitled to the refund of any payment made by him for the admission ; that may be accepted. But, the term ‘any

other compensation' is a vague one. I do not understand the intention of Government by mentioning' to any other compensation. What kind of a compensation could be demanded by the person is not at all explained. Supposing, while taking a person out of the show hall, the police officer assaults him and causes some injury or he removes something valuable from the pocket of the person; all these are contingencies. Is he not entitled to ask for compensation? This is really a most arbitrary and unthought of provision that has been made here. The police have their own protection under the Police Act. But, why this 'any other compensation' is put here? That is why, I submit that these words 'or any other compensation' must be deleted from the provision of this Act.

2-00 P.M.

Sri R. M. PATIL.—Sir, the very idea of my hon'ble friend is wrong. The words 'any other compensation' means this; supposing the person concerned is evicted, he may ask not merely the ticket value, but he may ask for some other compensation on any other ground. So, it is contemplated in the provision in order to cover such cases. My friend is thinking only in respect of police officer who is ejecting a person and causing him injury or harm while so doing. This is nothing but reading some meaning which is not there. Such an explanation is not in consonance with the amendment and therefore, I oppose the amendment.

Mr. SPEAKER.—The question is:

“That in clause 3, sub-clause (1), line 4, the words ‘or to any other compensation’ be deleted.”

The amendment was negatived.

Mr. SPEAKER.—The question is:

“That clause 3 stand part of the Bill.”

The motion was adopted.

Clause 3 was added to the Bill.

Mr. SPEAKER.—Clauses 4 to 6. The question is:

“That clauses 4 to 6, both inclusive, stand part of the Bill.”

The motion was adopted.

Clauses 4 to 6, both inclusive, were added to the Bill.

Mr. SPEAKER.—Clause 1, the Title and the Preamble. The question is:

“That clause 1, the Title and the Preamble stand part of the Bill.”

The motion was adopted.

Clause 1, the Title and the Preamble were added to the Bill.

Motion to pass.

Sri R. M. PATIL.—Sir, I beg to move :

“That the Mysore Prohibition of Smoking in Show Houses and Public Halls Bill, 1963, as passed by the Legislative Council, be passed.”

Mr. SPEAKER.—The question is :

“That the Mysore Prohibition of Smoking in Show Houses and Public Halls Bill, 1963, as passed by the Legislative Council, be passed.”

The motion was adopted.

BUDGET ESTIMATES OF THE MYSORE STATE ELECTRICITY BOARD FOR 1960-61 TO 1963-64.

Motion to consider.

Sri S. NIJALINGAPPA (Chief Minister).—Sir, I beg to move :

“That the Budget Estimates of the Mysore State Electricity Board for the years 1960-61, 1961-62, 1962-63 and 1963-64 laid on the Table of the House, be taken into consideration.”

Mr. SPEAKER.—Motion moved :

“That the Budget Estimates of the Mysore State Electricity Board for the years 1960-61, 1961-62, 1962-63 and 1963-64 laid on the Table of the House, be taken into consideration.”

Sri V. S. PATIL.—I want to know why the Budget Estimates for four years have been placed at one time instead of placing year after year.

Sri S. NIJALINGAPPA.—I cannot say why it is done; but it is being done. I will wait for the constructive criticism and constructive proposals from Hon'ble Members.

† ಶ್ರೀ ಎಸ್. ಶಿವಪ್ಪ (ಶ್ರವಣಬೆಳಗೊಳ).—ನಭಾಪತಿಯವರೇ, ಈ ದಿವಸ ಮಾನ್ಯ ಮುಖ್ಯ ಮಂತ್ರಿಗಳು ಮೈಸೂರು ದೇಶದ ವಿದ್ಯುಚ್ಛಕ್ತಿ ಮಂಡಲಿಯ ಅಯವ್ಯಯದ ಪಟ್ಟಿಯನ್ನು ಚರ್ಚೆ ಮಾಡುವುದಕ್ಕೋಸ್ಕರ ಇಟ್ಟಿದ್ದಾರೆ. ಒಂದಾನೊಂದು ಕಾಲದಲ್ಲಿ ಈ ವಿದ್ಯುಚ್ಛಕ್ತಿ ಮಂಡಲಿ ಇಡೀ ಭಾರತ ದೇಶದಲ್ಲೆಲ್ಲಾ ಹೆಸರಾದಂಥ ಇಲಾಖೆಯಾಗಿತ್ತು. ವಿದ್ಯುಚ್ಛಕ್ತಿ ಉತ್ಪತ್ತಿಯಿಲ್ಲೂ ಕೂಡ ಮೈಸೂರು ದೇಶ ಭಾರತದಲ್ಲಿ ಪ್ರಥಮಸ್ಥಾನವನ್ನು ಪಡೆದಂಥ ಕಾಲವಾಗಿತ್ತು. ಈಗ ಇದು ವಿದ್ಯುಚ್ಛಕ್ತಿ ಉತ್ಪತ್ತಿಯಿಲ್ಲ ಅಕ್ಕ ಪಕ್ಕದ ದೇಶಗಳಿಗಿಂತ ಮುಂದೆ ಇದ್ದಂಥದ್ದು ಇವತ್ತು ಹತ್ತನೆಯ ಸ್ಥಾನಕ್ಕೆ ಇಳಿದಿದೆ ಎಂಬುದು ಇದರಿಂದ ವ್ಯಕ್ತವಾಗುತ್ತದೆ.

The Electricity Board was constituted except the Hydro-electric project of Sharavathi, Bhadra, Left Bank of Tungabhadra and investigation of Hydro-electric projects, these having been retained with the Government.” ಎಂಬುದಾಗಿ ಇದರಲ್ಲೊಂದು ಕಡೆ ನಮೂದು ಮಾಡಿದ್ದಾರೆ.

ಇನ್ನು ವಿದ್ಯುಚ್ಛಕ್ತಿ ಉತ್ಪತ್ತಿ ಬಗ್ಗೆ ಆಡಳಿತದಲ್ಲಿ ಎಷ್ಟರಮಟ್ಟಿನ ರಾಶಿ ಇದೆಯೆಂಬುದನ್ನು ನಾವು ಇದರಿಂದ ನೋಡಬೇಕಾಗಿದೆ. ಇವತ್ತು ವಿದ್ಯುಚ್ಛಕ್ತಿ ಇಲಾಖೆಯ ಆಡಳಿತದಲ್ಲಿ ಎಲೆಕ್ಟ್ರಿಸಿಟಿ ಬೋರ್ಡ್ ಅಂದರೆ ವಿದ್ಯುಚ್ಛಕ್ತಿ ಮಂಡಲಿ ಒಂದು ಆಧಿಕೃತ ಸಂಸ್ಥೆಯಾಗಿ 1948ನೆಯ ಎಲೆಕ್ಟ್ರಿಸಿಟಿ ಅಕ್ಟ್ ಪ್ರಕಾರವಾಗಿ ಸ್ಥಾಪನೆಯಾದಮೇಲೆ ಈ ವಿದ್ಯುಚ್ಛಕ್ತಿ ಆಡಳಿತವನ್ನು ಮೈಸೂರು ದೇಶದಲ್ಲಿ ಒಂದು ಮಂಡಲಿಗೆ ವಹಿಸಿದ್ದಾರೆ. ಆ ಮಂಡಲಿಗೆ ಅದರ ಆಡಳಿತವನ್ನು ವಹಿಸಿದಂಥ ಕಾಲದಲ್ಲಿ